

APPLICANT(S): Amitay et al.  
SERIAL NO.: 10/675,155  
FILED: September 30, 2003  
Page 4

### **REMARKS**

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

### **Status of Claims**

Claims 1 – 52 and 57 - 60 are pending in the application. Claims 1 – 52 and 57 - 60 have been rejected. Claims 29 – 31 and 57 – 59 have been amended.

Claims 1 – 28 and 33 – 56 have been canceled, without prejudice or disclaimer. In making this cancellation without prejudice, Applicants reserve all rights in these claims to file divisional and/or continuation patent applications.

New claims 61 - 66 have been added in order to further define what the Applicants consider to be the invention. Applicants respectfully assert that no new matter has been added.

Claims 30 and 58 have been voluntarily amended for clarification only. Claims 31 and 59 have been amended to match the amendments to claims 29 and 57. These amendments do not narrow the scope of the claims, nor is it being made for reasons of patentability.

### **The Telephone Interview**

Initially, Applicants wish to thank the Examiner, Edwyn Labaze, for granting and attending the telephone interview with Applicants' Representative, Heidi M. Brun, Reg. No. 34,504 on May 7, 2008. In the interview, claim 29 was discussed, as was the Kovesdi reference.

APPLICANT(S): Amitay et al.  
SERIAL NO.: 10/675,155  
FILED: September 30, 2003  
Page 5

## CLAIM REJECTIONS

### 35 U.S.C. § 102(b) Rejections

In the Office Action, the Examiner rejected claims 1 – 52 and 57 - 60 under 35 U.S.C. § 102(b), as being anticipated by Kovesdi et al. (US 2003/0155413).

Applicants respectfully traverse this rejection in view of the remarks that follow.

Kovesdi et al. describes a system and method for authoring and providing information relevant to a physical world (Title). The system can gather labels of real-world objects and can aggregate the object identifiers and their associated content into a single addressable unit called a tour. To quote Kovesdi et al.:

A system and method capable of reading machine-readable labels from physical objects, ... and treating these different labels uniformly as object identifiers for performing various indexing operations such as content authoring, playback, annotation and feedback. ... The authoring mode permits new audio/text/graphics/video messages to be recorded and bound to an object identifier. The playback mode triggers playback of the recorded messages when the object identifier accessed. (Abstract)

While the tour of Kovesdi et al. is organized into an index, what is indexed are the object identifiers. Thus, the authored content is "bound" to the object identifiers such that, when an object identifier is detected and searched for, the authored content bound to it is retrieved.

Kovesdi et al. does not perform "dynamically updating an index to contain only information about the physical items" (claims 29 and 57) since the information which Kovesdi et al. indexes is only the object identifiers and not the information about the physical items. This can be seen in Fig. 6 (and in other figures) where Kovesdi et al. first detects an object label (step 622) and then retrieves the associated information (step 623). Similarly, when authoring the information, there is first a step of object labeling (step 612) and then a step of object information cataloging (step 613). Kovesdi et al. does not have a step of indexing all the

APPLICANT(S): Amitay et al.  
SERIAL NO.: 10/675,155  
FILED: September 30, 2003  
Page 6

authored information. Moreover, Kovesdi et al. does not limit the index "to contain information only about the physical items in a vicinity around a changeable current location of a user" since Kovesdi et al. does not center its database around the user. It retrieves information relevant to the location of the user but the database is not user-centric.

Furthermore, Kovesdi et al. does not search "said index to answer natural language queries from a user about said physical items" since Kovesdi et al. does not make natural language queries, but object identifier queries.

New claim 63 adds to this concept by adding the limitation of "gathering information from physical items in a vicinity around a changeable current location of a user". Kovesdi et al. does not gather information from the physical items. Instead, Kovesdi et al. creates ("authors") the information about the physical items. Nor, as argued above, does Kovesdi et al. update "an index to contain only said information from a current said vicinity".

Accordingly, Applicants respectfully assert that independent claims 29, 57 and 63 are allowable. Claims 30 – 32, 58 – 62 and 63 – 66 depend from, directly or indirectly, claims 29 and 57, and therefore include all the limitations of those claims. Therefore, Applicants respectfully assert that claims 30 – 32, 58 – 62 and 63 - 66 are likewise allowable. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections to claims 29 - 32 and 57 - 62.

In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

APPLICANT(S): Amitay et al.  
SERIAL NO.: 10/675,155  
FILED: September 30, 2003  
Page 7

Please charge any fees associated with this response to Deposit Account 09-0468.

Respectfully submitted,

By: /Suzanne Erez/  
Suzanne Erez  
Reg. No. 46,688  
Phone No. (972) 4-829-6069

Date: May 11, 2008  
IBM Corporation  
Intellectual Property Law Dept.  
P. O. Box 218  
Yorktown Heights, New York 10598